

*Fitzpatrick*  
*36640-031504*



***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***MARCH 15, 2004  
2:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA***

**1. Call to Order--Roll Call. (Mayor Smith was absent.)**

The Invocation was delivered by Bishop M. Louis Hardy, Pastor, Prayer Temple Church of Our Lord Jesus Christ.

The Pledge of Allegiance to the Flag of the United States of America was led by Vice-Mayor C. Nelson Harris.

Welcome. Vice-Mayor Harris.

**NOTICE:**

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, March 18, 2004, at 7:00 p.m., and Saturday, March 20, 2004, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

**THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.**

**THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.**

**ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.**

**ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.**

## **PRESENTATIONS AND ACKNOWLEDGMENTS:**

Presentation of the Governor's Award for Excellence in Virginia Fire Service Management.

**File #70-80**

**3.**

### **CONSENT AGENDA**

**(Approved (6-0))**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

- C-1 Minutes of the regular meetings of Council held on Tuesday, January 2, 2001, and recessed until Tuesday, January 8, 2001; Tuesday, January 16, 2001, and recessed until Monday, January 29, 2001; and Tuesday, February 17, 2004.

**RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.**

- C-2 A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION: Concur in the request.**

**File #132**

- C-3           A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION: Concur in the request.**  
**File #2-132-166**

- C-4           A communication from the City Attorney requesting that Council convene in a Closed Meeting to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION: Concur in the request.**  
**File #132**

- C-5           Qualification of Robert R. Young for a term ending June 30, 2005, and Walter T. Hinkley for a term ending June 30, 2006, as members of the Towing Advisory Board.

**RECOMMENDED ACTION: Receive and file.**  
**File #110-543**

## **REGULAR AGENDA**

Review of the following applications for appointment to the Roanoke City School Board for terms commencing July 1, 2004, and ending June 30, 2007. (Two vacancies.)

Dennis M. Binns  
Chris H. Craft  
Robert R. Craig  
David M. Dabay  
Roddy L. Hiduskey  
Glenda D. Lee  
Alvin L. Nash  
Samuel Robinson  
Linda F. Wright  
Linda F. Wyatt

**Received and filed.  
File #110-467**

### **4. PUBLIC HEARINGS: NONE.**

### **5. PETITIONS AND COMMUNICATIONS:**

- a. Request of the Roanoke Valley Economic Development Partnership to present the 2003 Report of Economic Development Activity. Phillip F. Sparks, Executive Director, Spokesperson. (Sponsored by the City Manager.)

**Received and filed.  
File #450**

- b. Request of Yellow Cab Services of Roanoke, Inc., to address Council with regard to an increase in taxicab rates currently charged in the City of Roanoke. W. E. Roberts, President, Spokesperson. (Sponsored by the City Manager.)

**Referred to the City Manager for study, report and recommendation to Council.**

**File #47**

## **6. REPORTS OF OFFICERS:**

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

**The City Manager introduced Larry Brown, Public Information Officer, effective March 15, 2004.**

**File #184-532**

1. Appropriation of \$78,287.00 in connection with Phase II of the Wireless E911 service expansion.

**Adopted Ordinance No. 36640-031504. (6-0)**

**File #188**

2. Amendment to the 1984 Lease Agreement and 2002 Air Rights Lease Agreement with *The Roanoke Times*, for issuance of either five-year bonds or five-year letters of credit.

**Adopted Ordinance No. 36641-031504. (6-0)**

**File #227-373-481**

## **7. REPORTS OF COMMITTEES:**

- a. Request of the Roanoke City School Board for appropriation of \$494,298.00 from the Capital Maintenance and Equipment Replacement Fund to replace and purchase various equipment items; and a recommendation of the Director of Finance that Council concur in the request. Richard L. Kelley, Assistant Superintendent for Operations, Spokesperson.

**Adopted Ordinance No. 36642-031504. (6-0)  
File #110-467-472**

## **8. UNFINISHED BUSINESS: NONE.**

## **9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.**

## **10. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Council Member Cutler commended the City Manager upon receipt of the *Government Technology* magazine, “Top 25 Doers, Dreamers and Drivers Award”.**

**He commended The Hotel Roanoke and Conference Center upon receipt of the Doubletree Pride Award, The Connie Award and The Annual CARE Award.**

**He advised that the City of Roanoke will save \$225,000.00 per year over a period of approximately 18 years through bond refinancing and commended the Director of Finance.**

**File #53-80-104-247-301**

**Council Member Bestpitch requested that the matter of renaming that portion of 13th Street south of Orange Avenue, "Thomas Market Street", be referred to the City Planning Commission for study, report and recommendation to Council. He also requested that the City Planning Commission work with the appropriate landowners in connection with naming the two plazas that bracket the City Market area and that proposed names be reflective of the City's railroad heritage.**

**File#42-85**

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

## **11. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**E. Duane Howard, 508B Walnut Avenue, S. W., raised questions with regard to the Dr. Martin Luther King, Jr., Bridge Committee.**

**File #102-110**

**Evelyn D. Bethel, 35 Patton Avenue, N. E., expressed concern on behalf of senior citizens in regard to the rising cost of gas for home heating purposes.**

**She requested that Council contact officials of the Roanoke Gas Company to determine if they would be more lenient in dealing with senior citizens, those persons living on a fixed income, and those customers who pay their bills on time.**

**File #289-458**

## **12. CITY MANAGER COMMENTS:**

**In response to Ms. Bethel's remarks, the City Manager called attention to the City's Fuel Assistance Program which is administered by the Department of Social Services, and encouraged those persons who have challenges in paying their fuel bills to contact the Social Services Department.**



**The City Manager advised that to date, the General Assembly has not adopted a budget on behalf of the Commonwealth of Virginia. She stated that the City of Roanoke supports the Senate version of the budget which does the least amount of harm to localities. She urged that citizens contact the City's representatives to the General Assembly to insist that a budget be adopted that will do the least amount of harm at the local level to those localities that provide the necessary day-to-day services.**  
**File#60-289-458**

**CERTIFICATION OF CLOSED SESSION. (6-0)**

**The following persons were appointed/reappointed to boards and commissions:**

**Board of Trustees,  
City of Roanoke Pension Plan,  
File # 110-429**

**Michael W. Hanks to fill the  
unexpired term of D. Duane Dixon,  
ending June 30, 2004. (Waived City  
residency requirement.)**

**Fair Housing Board  
File #24-110-178**

**Frank W. Feather, Bryan Grimes  
Creasy and Nancy Canova for  
terms ending March 31, 2007.**

**Parks and Recreation  
Advisory Board  
File #67-110**

**Gwendolyn W. Mason, David Nixon,  
Mark Lawrence, and  
Geraldine LaManna for terms ending  
March 31, 2007, and  
Thomas Pettigrew to fill the unexpired  
term of Brian M. Shepard, resigned  
ending March 31, 2005.**

**The Hotel Roanoke Conference  
Center Commission  
File #110-247**

**C. Nelson Harris for a four year  
term commencing April 13, 2004,  
and ending April 12, 2008.**

**AT 3:45 P. M., THE COUNCIL MEETING WAS DECLARED IN  
RECESS UNTIL 7:00 P.M., IN THE CITY COUNCIL CHAMBER.**



***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***MARCH 15, 2004  
7:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA***

**Call to Order -- Roll Call.** (Mayor Smith was absent.)

The Invocation was delivered by Council Member William D. Bestpitch.

The Pledge of Allegiance to the Flag of the United States of America was led by Vice-Mayor C. Nelson Harris.

Welcome. Vice-Mayor Harris.

**NOTICE:**

The Council meeting will be televised live by RVTN Channel 3 to be replayed on Thursday, March 18, 2004, at 7:00 p.m., and Saturday, March 20, 2004, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## **PRESENTATIONS AND ACKNOWLEDGEMENTS: NONE.**

### **A. PUBLIC HEARINGS:**

- 1.(a) Proposed adoption of a resolution authorizing the City to contract a debt and to issue general obligation public improvements bonds of the City, in the amount of \$5,500,000.00, for the purpose of assisting the Roanoke Redevelopment and Housing Authority in paying a portion of the costs of the South Jefferson Redevelopment Project. Darlene L. Burcham, City Manager; and Jesse A. Hall, Director of Finance.

**Adopted Resolution No. 36643-031504. (6-0)**  
**File #53-178-540**

- (b) Amendment to the South Jefferson Cooperation Agreement 2 and project budget with the Roanoke Redevelopment and Housing Authority to provide for a five-year extension, acquisition of property in Area 3, and an amended budget.

**Adopted Budget Ordinance No. 36644-031504 and Ordinance No. 36645-031504. (6-0)**  
**File #2-60-178-540**

2. Proposed encroachment of an overhead sign into the right-of-way of the sidewalk, and extension of an overhead awning into the public right-of-way at 22 Campbell Avenue, S. E. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 36646-031504. (6-0)**  
**File #28-107**

3. Proposed encroachment of an overhead sign into the public right-of-way at 22 Church Avenue, S. W. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 36647-031504. (6-0)**  
**File #28-107**

**B. OTHER BUSINESS: NONE.**

**C. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

1. Request to address Council with regard to the Roanoke Express Hockey Team. Cristy M. Lovelace, Spokesperson. (Sponsored by Vice-Mayor C. Nelson Harris and Council Member Linda F. Wyatt)

**Ms. Lovelace presented petitions in support of keeping the Roanoke Express hockey team in the Roanoke Valley for another season.  
File #192-388**

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